

CABARRUS COUNTY SUPERIOR COURT CIVIL CALENDAR
SESSION BEGINNING, MONDAY, OCTOBER 26, 2020
COURTROOM NUMBER 5 - VIA WEBEX

THE HONORABLE MARK E. KLASS, PRESIDING JUDGE
MOTIONS AND TRIALS BEGINNING MONDAY, OCTOBER 26, 2020 AT 9:30 A.M.

FINAL CALENDAR - WITH SCHEDULING

The cases below are on the "Draft Calendar" for AUGUST 11, 2020. As a result of the COVID-19 pandemic, we must avoid crowds in the courtroom. There will be no jury trials during this July session. There will be no calendar call. Cases will be prescheduled from this Draft Calendar to be assigned time slots on specific days throughout the week. Jury cases will be rescheduled, in most cases, after a conference with the Court. For matters not involving live testimony, the parties can agree to a remote hearing. Indeed, remote hearings are encouraged.

Time slots will be assigned on a first come, first serve basis. Cases will be scheduled such that there will never be more than a few people in the courthouse at a time. The courtroom will remain open to the public, but the will Court may impose some capacity restrictions if necessary. Court will open at 2 pm on Monday and 9:30 am each day thereafter.

In selecting a time to schedule your case, the parties will have the following options:

(1) x day, am (2) x day, pm, and (3) x day, all day.

If you have a case on this calendar, please immediately contact the opposing side to discuss scheduling. It is extremely important that you accurately estimate the time of the hearing to the best of your ability. Therefore, please error on the side of over estimating the length of your hearing. The Court would rather have idle time in the courtroom than inconveniencing other parties by having them wait outside or rescheduling their case. Also, please agree upon two proposed time slots. Finally, discuss whether you agree to hear the case remotely either during that week or on one of the following Fridays: May 15, 22 or 29.

By WEDNESDAY, OCTOBER 14, 2020, you should communicate by email to our TCC (lindsay.a.daniels@nccourts.org) your scheduling preferences. Our Court will do its best to accommodate your choice. Those that do not respond will be given an assigned time slot without further input from counsel. The Court is particularly interested in having remote conferences with those scheduled for jury trials prior to the opening of the session. Given the discussion will be administrative in nature, these can be conducted also by phone on any day of the week. The Court, however, is now hearing criminal cases on Monday and Thursday mornings and would not be available during those times.

By WEDNESDAY, OCTOBER 21, 2020, the final calendar will be posted.

The plan announced herein is subject to change based upon future orders of the Chief Justice and the course of the virus. It is hoped that we will return to jury trials during July, but we will have to await future developments to know for certain. I hope that parties are now participating in remote mediations. I have heard some encouraging words about its promise. As always, please let me know if you have any comments or suggestions for how we can better address cases. Thank you for your patience and input during these challenging times.

****PLEASE NOTE: PURSUANT TO LOCAL RULE 3.2, NO MOTIONS WILL BE ADDED AFTER THE PUBLICATION OF THE FINAL CALENDAR WITHOUT THE APPROVAL OF THE TRIAL COURT COORDINATOR****

****PURSUANT TO THE LOCAL RULES, ATTORNEYS ARE REQUIRED TO NOTIFY THE TRIAL COURT COORDINATOR IMMEDIATELY WHEN A CASE HAS BEEN SETTLED OR DISMISSED****

MOTIONS:

1

20-CVS-000262	WHITING, RUSTYN, C	LEVINE, MICHAEL, J
	-VS-	
	CHURCH, EDDIE, D	SMITH, ALLEN, C
	CHRISTY, DANIEL, S	SMITH, ALLEN, C

EVENT: MOTN - MOTIONS

MONDAY AT 9:30 A.M.

ISSUES: ATFE - ATTORNEY FEES
COST - COURT COSTS
MVNG - MOTOR VEHICLE NEGLIGENCE
DISM - DISMISS (INVOLUNTARY)
CMPL - COMPEL
SUMJ - SUMMARY JUDGMENT

DAYS SINCE FILING: 273

DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT (30 MINS.)

2

20-CVS-000449	BELL, CHRISTOPHER	PRO SE
	-VS-	
	TROPICAL NUT & FRUIT CO	TISDALE, H, BERNARD, III
		ADAMS, JOSHUA, R

EVENT: MOTN - MOTIONS

TUESDAY AT 10:00 A.M.

ISSUES: WRDI - WRONGFUL DISCHARGE

DAYS SINCE FILING: 259

PETITION FOR JUDICIAL REVIEW. (2 HOURS)

3

20-CVS-001977 WATERMAN, DANA DEMAY, JAMES, RYAN
WATERMAN, CAROLINE DEMAY, JAMES, RYAN
-VS-
PIEDMONT OUTDOOR DESIGN LLC PRO SE
IHINGER, EDDIE, LEE, III PRO SE

EVENT: MOTN - MOTIONS

TUESDAY AT 2:00 P.M.

ISSUES: ATFE - ATTORNEY FEES
UNTP - UNFAIR TRADE PRACTICE
OTHR - FRAUD
OTHR - PIERCE CORP VEIL
CNTR - CONTRACT
OMSC - ORDER TO MEDIATED SETTLEMENT
DEFJ - DEFAULT JUDGMENT

DAYS SINCE FILING: 100

PLAINTIFFS MOTION FOR DEFAULT JUDGMENT (30 MINS.)

4

20-CVS-001567 NJR CONST LLC BIESECKER, ERIC, H
-VS-
KODIAK CONSTRUCTORS INC BIMBO, STEVEN, ALLEN
WEDDINGTON ROAD PARTNERS LLC PRO SE

EVENT: MOTN - MOTIONS

TUESDAY AT 2:30 P.M.

ISSUES: CNTR - CONTRACT
ATFE - ATTORNEY FEES
COST - COURT COSTS
RLPR - REAL PROPERTY / TITLE
JOPL - JUDGMENT ON PLEADING
OMSC - ORDER TO MEDIATED SETTLEMENT
SUMJ - SUMMARY JUDGMENT

DAYS SINCE FILING: 146

PLAINTIFF'S MOTION FOR JUDGMENT ON THE PLEADINGS AND ALTERNATIVE MOTION FOR
SUMMARY JUDGMENT (30 MINS)

5

20-CVS-001299	PIXEL ALLY CORP	STEIN, MICHAEL, B
	-VS-	
	ENTERPRISE HOLDINGS GROUP LLC	WHITE, E, GARRISON
	LILLIE, BRIAN, JAMES	WHITE, E, GARRISON
	LILLIE, TRACY, K	WHITE, E, GARRISON

EVENT: MOTN - MOTIONS

TUESDAY AT 3:00 P.M.

ISSUES: MNYO - MONEY OWED
ATFE - ATTORNEY FEES
CNTR - CONTRACT
ATFE - ATTORNEY FEES
DISM - DISMISS (INVOLUNTARY)
OMSC - ORDER TO MEDIATED SETTLEMENT
OTHR - PROTECTIVE ORDER

DAYS SINCE FILING: 181

DEFENDANTS MOTION TO DISMISS (30 MINS)

6

20-SP-000295	JG WENTWORTH ORIGINATIONS, LLC	GOTTSEGEN, ADAM, M
	-VS-	
	A. CROWELL	PRO SE
	STATE FARM LIFE INSURANCE CO.	PRO SE
	STATE FARM MUTUAL AUTO INS.	PRO SE

EVENT: MOTN - MOTIONS

TUESDAY AT 3:30 P.M.

DAYS SINCE FILING: 51

PETITIONER'S APPLICATION FOR AUTHORIZATION FOR TRANSFER OF PAYMENT RIGHTS
(30 MINS.)

JURY TRIALS:

19-CVS-002009 RAMCHANDANI, BHARGAVI
-VS-
BROWN, ARNOLD, EUGENE

HARDING, WILLIAM, H
MILLER, BROOKS, POPE

EVENT: JU - JURY TRIAL

*****WILL BE RESCHEDULED NO NEED TO APPEAR*****

ISSUES: ATFE - ATTORNEY FEES
MVNG - MOTOR VEHICLE NEGLIGENCE
OMSC - ORDER TO MEDIATED SETTLEMENT

DAYS SINCE FILING: 496

PER SCHEDULING NOTICE. 2-3 DAYS.

ATTORNEY/CASE NUMBER/MARGIN NUMBER INDEX

Prepared October 22, 2020

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END